



# CALPEEK

## CALIFORNIA POLITICAL WEEK

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### **CAMPAIGN 2000: SPECIAL INTEREST BATTLE OVER CONTRACTING OUT NOT GETTING ANY ATTENTION.**

Editor's note: The official title of this low profile initiative is *Public Works Projects. Use of Private Contractors for Engineering and Architectural Services*. Confused? So are the voters and the news media who have paid scant attention to *Prop. 35*. Here's our update & analysis...

...The battle over Prop. 35 is very typical of *special interest initiatives*, in which one side tries to gain an advantage over their rivals. In this case, CELSOC (Consulting Engineers and Land Surveyors of Calif.) is sponsoring Prop. 35, while and PECG (Professional Engineers in Calif. Govt.) is trying to defeat 35. It's the private firms vs. the engineers who work for *Caltrans*. What's the big deal? About \$6.8 billion in *transportation* and *traffic relief* projects. If Prop. 35 wins, the private engineering firms will undoubtedly get a bigger slice of the pie. But at the same time, there will be more people working on these important projects...

...If approved, Prop. 35 would allow the State government to "contract out" with private engineering and design firms without regard to certain existing legal restrictions which (currently) apply. And in the selection process, competitive bidding is permitted, but not required. Contracting out is permitted and Gov. Gray Davis(D) has doubled the amount of contracting out. Despite this, there's tons of work and not enough state employees to handle it...

...Who is leading? The polling firms which get the most public attention in Calif.(Field, PPIC) have all taken a pass on Prop. 35. But the **NO on 35** side hired S.F.-based pollster David Binder. His mid-September surveys shows **34% YES** vs. **49% NO**, with a healthy 17% undecided...

...Both sides have the resources to mount strong paid advertising campaigns. **NO on 35** claims to be on about 20 million pieces of slate mail, but the **YES** side has slates too. As for television & cable, the funding reports show **YES on 35** with \$3,669,704 cash on hand, with expenditures of \$2.6 million and total raised during the last period of \$4.2 million. **NO on 35** raised \$3.5 million during this same period, had

expenses of \$3.7 million and has c-o-h of \$367,389. Steve Hopcraft, lead consultant for **NO on 35**, told *Calpeek* that his campaign had early money and they bought all their tv in the Spring, when prices were lower. Hopcraft has hired savvy tv/media consultant Sid Galanty to produce the **NO on 35** tv/cable campaign. Woodward & McDowell are doing **YES on 35**. Both sides will be up on tv fairly soon...

...With the actual campaign being somewhat confusing and hard for the general voting public to understand, editorials might prove helpful. And here the **YES on 35** campaign has already grabbed backing from the BEE (Sacto, Fresno and Modesto), the *S.F. Examiner*, *San Jose Mercury-News* and a rather lukewarm and almost reluctant **YES** from the *L.A. Times*. Most of organized labor is on the **NO** side, while the business community is backing the **YES** side. Stay tuned...

### **CAMPAIGN 2000: UPDATE ON U.S. HOUSE CONTESTS.**

Editor's note: Here's another update on key U.S. House races in Calif., plus a review of where things stand overall...

...The current Calif. U.S. House delegation is composed of **27 Demos** and **25 GOPers**. It was 28/24, but after his primary defeat at the hands of Demo State Sen. Hilda Solis, Congressman Marty Martinez decided that his best option was to switch parties - getting even for what Martinez believed was a total lack of support from his Demo House colleagues. Solis will win this seat back for the Demos on Nov. 7<sup>th</sup>...

...No real changes in the *Watch List*. All these incumbents are still favored by our sources: Tauscher(D-10<sup>th</sup> CD); Capps(D-22<sup>nd</sup> CD); Gallegly(R-23<sup>rd</sup> CD); Horn(38<sup>th</sup> CD); and Baca(D-42<sup>nd</sup> CD). We've removed U.S. Rep. Brad Sherman(D-24<sup>th</sup> CD) from the *Watch List*. Sources say he's safe. Of all the *Watch List* battles, the sleeper could be in the 23<sup>rd</sup> CD...

### ***Battle Zone***

...There are five(5) contests in the Battle Zone. They in-

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clude (incumbents are underlined):

15<sup>th</sup> CD Open Honda(D) vs. Cunneen(R). Toss Up  
20<sup>th</sup> CD Dooley(D) vs. Rodriguez(R). Leans D  
27<sup>th</sup> CD Rogan(R) vs. Schiff(D). Leans D  
36<sup>th</sup> CD Kuykendall(R) vs. Harman(D). Toss Up  
49<sup>th</sup> CD Bilbray(R) vs. Davis(D). Toss Up

☒ **49<sup>th</sup> CD Update** – Since the primary, most sources have given a very slight edge to U.S. Rep. Brain Bilbray, but the latest KGTU-Chn. 10 poll (conducted Sept. 9<sup>th</sup>, 500 likely voters), showed Assemblywoman Susan Davis with a 7 pt. lead: 50% to 43%. Throughout the summer this race was *dead even*, but in the poll released 9/11/00, Bilbray held a 3 pt. lead: 48% to 45%...

... Why the sudden surge for Davis? It doesn't have anything to do with some recent negative press about a trip Bilbray and his wife took to Australia last year to attend a trade conference. This problem occurred after the poll was taken. The "trip problem" has to do with who paid for the junket. Bilbray didn't initially say who paid for the trip – as required by U.S. House rules. And foreign governments aren't allowed to pay for such trips. San Diego Mayor Susan Golding also was on the trip and she said the State of New South Wales paid her way. And initially that's who Bilbray listed. Now he says that it was the Australian American Business Leaders Forum who paid. See the problem???

☒ **20<sup>th</sup> CD Update** – With all the tv that U.S. Rep. Cal Dooley(D-Hanford) has been running against GOp Rich Rodriguez it's no wonder that Dooley's numbers are beginning to inch back up. In a late August poll for Dooley by Fairbank Maslin Maullin, Dooley held a 45% to 39% lead over Rodriguez. The new Oct. 2-3 poll for 400 likely voters now shows Dooley with a 49% to 34% lead, with 16% undecided. The probable reason for Dooley's surge is not just the negative tv against Rodriguez, but Rodriguez himself. He's got *open mouth - insert foot* problems. For example: the Washington Post (9/21) described Rodriguez as a "Man with No Plan," quoting Rodriguez as telling members of the Kings Co. Ag Roundtable, "If I sat here and told you I had a master plan, I'd be lying. I can't tell you that I have the greatest mind." Hummm...

☒ **36<sup>th</sup> CD Update** – In the battle between U.S. Rep. Steve Kuykendall(R) and Jane Harman(D), Calpeek still rates this contest a toss up, but Amy Walter of the Cook Political Report (based in DC) gives an edge to Harman. Stay tuned...

## **CAMPAIGN 2000: JARVIS TAXPAYER GROUP SHOWS POLITICAL CLOUT IN BATTLES OVER PROPOSITIONS**

Editor's note: If the late Howard Jarvis could revisit us, he'd be very pleased to know that the movement he started back in 1978 is very much alive and in the thick of several major political battles to fight for the interests of Calif. taxpayers. And while the Howard Jarvis Taxpayers Assn. (HJTA) isn't the only taxpayer group on the scene in Calif. politics, it's the one which right now has the *most* political clout. Here's our report and analysis...

... How much political clout does the HJTA really have? Enough for Prop. 38 voucher backer Tim Draper to publicly blast them for opposing his voucher plan and certainly enough clout to have school voucher opponents (NO on 38) mention the taxpayer group in their ads. In case you weren't aware of it, HJTA is opposed to Prop. 38 because they think this particular voucher plan could cost taxpayers billions of dollars...

... The reason why both sides in the voucher fight pay attention to HJTA is because after more than 20 years in Calif. politics, no other taxpayer organization in Calif. has built in credibility like the Jarvis group – thus when HJTA gives its endorsement, it means something...

... And campaign consultant Steve Hopcraft, who is the lead consultant on NO on 35 (Contracting Out), is thrilled that for the first time in 23 years he's finally working on the same side as the Jarvis group. HJTA has endorsed NO on 35. And the taxpayer association, which boasts a membership of just under 200,000 members, has taken YES positions on Props. 36(Drug Rehab) and 37(Fees/Taxes)...

... But make no mistake, the big HJTA fight in this cycle is **Prop. 39**, which if approved, would lower the vote requirement from the current 2/3ds to 55% to pass a local school bond. HJTA hammers away at 39, saying if it passes property taxes will double. This initiative is very similar to Prop. 26, which narrowly went down to defeat in the March primary. The Jarvis group was *almost alone* in that battle against Prop. 26 and was outspent \$25 million to \$1.3 million. It's an uphill battle this time too on 39, but the *Save Our Homes* (No on 39) crowd at HJTA is hopeful they will prevail once again...

... Over the years, HJTA has had a fairly impressive won-loss record. But the big wins were in 1978 with **Prop. 13**, which put Howard Jarvis on the map (along with the late Paul Gann); and in 1996 with **Prop. 218** – the Right to Vote on Taxes Initiatives (the right to vote on local taxes). And along the way the HJTA also successfully defended Prop.

13 in the *U.S. Supreme Court* (*Nordlinger v Hahn*)...

...The formula for success is a combination of solid legal and legislative research, savvy news media spinning and sticking to its area of expertise: *tax policy*. There's also the HJTA 1 million+ mailing list and the separate PAC, which endorses legislative candidates. Remember the crop of "pro-Prop. 13 legislative babies" who got elected in 1978 because of Prop. 13? And the HJTA has worked with some solid campaign consultants over the years: Stu Mollich, Arnold Forde, Harvey Englander, Bill Butcher, Arnie Steinberg and McNally, Temple & Associates. The current political team includes Steinberg, Butcher and spin doctor Sheri Annis...

...Today the HJTA has offices in L.A. and Sacramento. www.hjta.org. The group is led by Jon Coupal, who took over from longtime (20 years) Jarvis president Joel Fox in 1999. Fox has the title of HJTA president *emeritus*. Daily operations are handled by executive director Kris Vosburgh, a 10-year vet. Timothy Bittle is the director of legal affairs and Trevor Grimm is the general counsel. Stay tuned...

#### **CAMPAIGN 2000: CALIFORNIA INITIATIVE UPDATE.**

Editor's note: Here's another update on the key initiatives facing Calif. voters on Nov. 7<sup>th</sup>...

◆ **Prop. 34 Update** – This is the campaign reform proposal sponsored by the CA Legislature. Neither side is rolling in money, but YES on 34 seems to have an edge. During the latest reporting period, *Citizens for Constitutional Campaign Reform* raised \$307,722 and had \$295,865 cash on hand. The biggest contributors were the Senate Majority Fund (read that as Senate PPT John Burton) - \$100,000; Friends of Ross Johnson - \$50,000; AFSCME - \$50,000; and the Agua Caliente Indians - \$25,000. Lots of labor contributions ranging from \$5,000 to \$10,000. The NO on 34 side reported contributions of \$111,567 with c-o-h of \$47,235...

...Editorial endorsements are starting to roll in and it looks as though YES on 34 could be shut out when it comes to getting backing from any of the State's major dailies. So far the *L.A. Times*, *San Jose Mercury-News*, *San Diego Union-Tribune*, *S.F. Chron* & *S.F. Examiner* have all editorialized NO on 34. And making matters worse for the YES side, U.S. Sen. John McCain(R-AZ) said he "misspoke" on Sept. 16<sup>th</sup> when he endorsed YES on 34. So he's pulled his endorsement...

◆ **Prop. 37 Update** – This is the initiative which redefines *fees as taxes*. This special interest initiative is aimed at reversing a CA Supreme Court decision (*Sinclair Paint*). This

measure has solid backing from Calif. business, especially from the oil, alcoholic beverage and tobacco interests. YES on 37 (*Californians Against Hidden Taxes*) raised \$872,720 during the period; spent \$469,109 and had \$256,495 c-o-h. What this means is that YES on 37 has money for slates and tv/radio. The NO side (*Taxpayers Against Polluter Protection*) is hurting. This committee raised only \$42,252 and had just \$13,648 c-o-h...

● **Prop. 36 Update** – This is the *drug rehabilitation* initiative which, if approved, would see first time/non-violent drug offenders put into drug rehab programs and not sent to prison or jail. YES on 36 (*Calif. Campaign for New Drug Policies*) is virtually funded by only 3 individuals: billionaire NY philanthropist George Soros; insurance exec Peter Lewis; and adult school president John Sperling. During the last reporting period, YES on 36 raised \$1,729,821; spent \$1.7 million and had \$22,854 c-o-h. The three angels have each tossed in close to \$1 million...

...By contrast, the NO on 36 side (*Californians United Against Drug Abuse*) raised only \$104,877 during the last period, but spent \$205,463. The biggest contributor is developer Alex Spanos - \$100,000. The prison guards, CCPOA, donated \$25,000, while the CA Narcotic Officers Assn. chipped in \$20,000. So the bottomline line is that while law enforcement yells about the "evils" of Prop. 36, the DAs, probation officers, drug court judges, individual POAs and DSAs have not stepped up to the plate. That's the bad news. The good news is that the *S.F. Chron* and *San Diego Union-Tribune* have editorialized against 36...

...FYI: if Prop. 36 does pass, which seems likely given the polling numbers and money, the real losers are the 100 drug court judges throughout Calif. And in a way, they have only themselves to blame. Collectively they should have formed an association, hired a good lobbyist and taken their case for more drug courts and funding to the legislature. Even YES on 36 says the drug courts are working – but the problem is that there aren't enough of them...

◆ **Prop. 38 Update** – This is the school voucher initiative sponsored by Silicon Valley exec Tim Draper. Tons of money on both sides, according to the latest campaign reports. YES on 38 (*Save Our Schools, School Vouchers 2000*) raised \$20.1 million, spent \$34.4 million and had \$4.3 million c-o-h. NO on 38 (*NO on Vouchers 2000 Cmt*) raised \$20.5 million, spent \$15.2 million and had \$5.99 million c-o-h. Both sides are on TV throwing everything they've got at one another. The NO side seems to be winning. Stay tuned...



**CAMPAIGN 2000: ELECTORAL COLLEGE UPDATE.**

Editor's note: Here is Calpeek's *Electoral College* forecast as of 10/11/00.

**GORE (17 safe):** CA(54), CT(8), DE(3), DC(3), HI(4), IL(22), IA(7), ME(4), MD(10), MA(12), MN(10), NJ(15), NY(33), RI(4), TN(11), VT(3) and PA(23). **226**

Gore(4 Lean): MI(18), NM(5), OR(7) and WV(5). **35**

**BUSH (18 safe):** AL(9), AK(3), ID(4), IN(12), KS(6), KY(8), MS(7), MT(3), NE(5), ND(3), OK(8), SC(8), SD(3), TX(32), UT(5), VA(13), WY(3) and GA(13). **145**

Bush(2 Lean): AZ(8) and AR(6). **14**

**Toss Ups (10):** CO(8), FL(25), LA(9), MO(11), NV(4), NH(4), NC(14), OH(21), WA(11), WI(11)...

...FYI: According to the NY Times, PA is now safe in the Gore column. Reason: Gore is mashing Bush in the Philly suburbs and among women... Move GA to safe Bush turf, despite Demos Gov. Roy Barnes & U.S. Sen. Zell Miller...

front is really an attempt to get Gore out of Florida; 2) Bush is doing this to help the entire GOP down-ballot ticket...

■ **Buchanan Does His 187 Number** – We told you so weeks ago and now Reform Party candidate Pat Buchanan is on tv with an ad bashing immigrants (the *English* only number). Buchanan did his 187 routine at a news conference in Sacto on 10/9. Reaction from CA Demo Party Chair Art Torres: "This Buchanan tv ad is pathetic and should be condemned by all." The CA Republican Party also denounced the ad, but the tone of the denouncement didn't seem as harsh. Why not? Just speculation, but there are many GOP hardliners who still like Buchanan, but at this point may be leaning to Bush. No reason to make them angry...

■ **CCPOA Endorsements** – The CA Correctional Peace Officers Assn. (prison guards) is a major player in CA Legislative campaigns. Until recently, they had tilted toward GOP candidates, but not in this cycle. The CCPOA has endorsed the following Legislative candidates. In the Assembly: Matthews(D-17); Pescetti(R-10); Shapiro(R-41); Yates(R-61); Cohn(D-24); Salinas(D-28); Liu(D-44); and Frommer(D-43). In the State Senate: Machado(D-5); Scott(D-21); Alpert(D-39); Torlakson(D-7); and Margett(R-29)...

■ **No CA Republican Party Slate** – Sources tell Calpeek that the CA Republican Party will not produce a slate mailer outlining its positions on the various Statewide initiatives. Reason: the CRP will spend the money on the Bush campaign instead – either GOTV or mail for Bush...

**CALPEEK'S INFOBAHN: POLITICAL SHORT TAKES.**

Editor's note: Here are a few items, political & otherwise, worth noting...

■ **Gore Holds Field Poll Lead** – The latest Field Poll taken Sept. 29-Oct. 8 (427 interviews pre-debate/591 post-debate) shows Demo VP Al Gore holding a **50% to 37%** lead over TX Gov. George W. Bush(R) here in Calif. Green Party candidate Ralph Nader is at **4%**, while Reform Party candidate Pat Buchanan is at **2%** and **7%** undecided. These numbers are unchanged from Field's August. FYI: almost as soon as Field's poll was released on 10/10, the Calif. Republican Party released a survey showing Bush trailing Gore by just 6 pts., **45% to 39%**. This poll was taken Oct. 6-8 among 805 likely voters. Demo sources say this particular poll was paid for by U.S. Rep. Tom Campbell(R), who is running against U.S. Sen. Dianne Feinstein(D). The poll was conducted by Zogby Internat'l. Demos say that their own private polling and tracking continues to show Gore with a double-digit lead over Bush in Calif...

■ **Bush Steps Up TV in L.A. County** – So if Bush is still trailing Gore in Calif. – and losing to Gore in L.A. Co. by a 2-to-1 margin, why is the RNC spending an additional \$1 million per week (until election day) on L.A. tv? This is in addition to the \$600,000 that is already being spent on Bush up and down the State. Two theories: 1) this second

**CALPEEK'S CALENDAR OF POLITICAL EVENTS**

|           |                                                                                                                                       |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------|
| Oct. 17   | Presidential Debate, St. Louis, MO.                                                                                                   |
| Oct. 19   | L.A. Co. DA's Debate, KCAL-TV (live).                                                                                                 |
| Oct. 20   | VICA Candidates' Forum, Airtel Plaza Hotel, Van Nuys, CA.                                                                             |
| Oct. 31   | Last day to apply for absentee ballot.                                                                                                |
| Nov. 3    | 12 <sup>th</sup> Annual Business Forecast Conf., sponsored by VICA, Warner Center Marriott Hotel in Woodland Hills, CA                |
| Nov. 7    | Election day.                                                                                                                         |
| Nov. 9-12 | Internat'l Assn. of Political Consultants annual conference, Washington DC.                                                           |
| Nov. 14   | 8 <sup>th</sup> Annual Calif. Policy Issues Conference sponsored by the Pat Brown Inst. of Public Affairs, Wilshire Grand Hotel, L.A. |
| Dec. 4    | 2001-2002 CA Legislature convenes for organizational session.                                                                         |
| Dec. 5-9  | Nat'l League of Cities conference, Boston.                                                                                            |
| Dec. 18   | Electoral College delegates meet in Sacto.                                                                                            |
| Jan. 20   | Inauguration Day, Washington DC.                                                                                                      |